

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
Atlanta Division**

ELCINDA PERSON,)	
)	
Plaintiff/)	
Counterclaim Defendant,)	
)	
v.)	Civil Action No. 1:19-cv-03735-SDG
)	
TECHNICAL EDUCATION)	
SERVICES, INC. d/b/a AVIATION)	
INSTITUTE OF MAINTENANCE,)	
)	
Defendant/)	
Counterclaim Plaintiff/)	
Third-Party Plaintiff,)	
)	
v.)	
)	
HIGHER ED GROWTH, LLC,)	
d/b/a INQUIR,)	
)	
<u>Third-Party Defendant.</u>)	

**JOINT MOTION TO STAY PROCEEDINGS
AND EXTEND LITIGATION DEADLINES**

Plaintiff and Counterclaim Defendant Elcinda Person (“Plaintiff”), Defendant, Counterclaim Plaintiff, and Third-Party Plaintiff Technical Education Services, Inc. d/b/a Aviation Institute of Maintenance (“Defendant”), and Third-Party Defendant Higher Ed Growth d/b/a Inquir (“Third-Party Defendant”) (collectively “Parties”), move to stay the proceedings and extend litigation deadlines. In support of this Motion, the Parties state as follows:

1. Pursuant to Court's Order dated March 5, 2021:
 - a. the Parties must Complete fact discovery by June 14, 2021;
 - b. Plaintiff must designate all trial experts pursuant to Fed. R. Civ. P. 26(a)(2) by June 14, 2021;
 - c. Defendant must submit response to expert reports by July 14, 2021;
 - d. the Parties must complete expert depositions by August 16, 2021;
 - e. the Plaintiff must file any motion for class certification by August 30, 2021.

See Ex. ECF No. 97

2. Plaintiff and Defendant have agreed to mediate all of their claims through private mediation.

3. Currently, a mediation is scheduled for July 29, 2021 before the Honorable Stanley F. Birch, Jr.

4. Based on the agreement to mediate between Plaintiff and Defendant, the Parties are requesting a stay of all proceedings from today through August 2, 2021.

5. In the event mediation is unsuccessful, the Parties are also requesting an extension of all litigation deadlines outlined in the Court's Order dated March 5, 2021 and the Local Rules as well as all filing and responsive deadlines.

6. The Parties propose the following dates:

- a. the Parties must Complete fact discovery by October 11, 2021;
- b. Plaintiff must designate all trial experts pursuant to Fed. R. Civ. P. 26(a)(2) by October 11, 2021;
- c. Defendant must submit response to expert reports by November 15, 2021;
- d. the Parties must complete expert depositions by December 20, 2021;
- e. the Plaintiff must file any motion for class certification by January 14, 2022.
- f. the depositions that Plaintiff noticed in May 2021 shall be completed within 14 days of the mediation.
- g. Plaintiff shall respond to the motion for summary judgment filed by Defendant within 35 days of the completion of the depositions outlined in Paragraph 6(f).

7. A stay of the proceedings will permit the Plaintiff and Defendant to engage in mediation and allow the Parties to focus resources and time towards this resolution and may avoid the expense of engaging in further discovery, including extensive depositions, as well as, the filing of responsive pleadings and dispositive motions in this matter.

8. Undersigned counsel has conferred with Plaintiff's and Third-Party Defendant's counsel, who agree that a stay is in the best interest of all Parties.

9. Furthermore, a stay of the proceedings will not prejudice any party to this action.

10. Unless the Court deems a hearing necessary, the Parties request a ruling on this Motion without oral argument.

WHEREFORE, the Parties respectfully requests an Order Stay the Proceedings.

Respectfully submitted this 8 June 2021.

/s/ David A. Hughes

David A. Hughes

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CERTIFICATION

In accordance with Civil Local Rules 5.1C and 7.1D, I hereby certify that this document has been prepared in 14 point, Times New Roman font.

/s/ *David A. Hughes*

David A. Hughes

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CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2021, I electronically filed the foregoing **JOINT MOTION TO STAY PROCEEDINGS AND EXTEND LITIGATION DEADLINES** with the Clerk of Court using the CM/ECF system, which will automatically serve the following counsel of record:

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